

MICHAEL J. GARCIA  
United States Attorney for the  
Southern District of New York  
By: ANDREW M. McNEELA  
Assistant United States Attorney  
86 Chambers Street, 3rd Floor  
New York, New York 10007  
Telephone No. (212) 637-2741  
Facsimile No. (212) 637-2750  
Email: andrew.mcneela@usdoj.gov

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

-----X	
PATRICK FRATELLONE, M.D., d/b/a	:
FRATELLONE MEDICAL ASSOCIATES, LLP.,	:
	:
Plaintiff,	:
	:
v.	:
	:
MICHAEL O. LEAVITT, Secretary of the	:
Department of Health and Human Services, and	:
THE CENTERS FOR MEDICARE AND	:
MEDICAID SERVICES,	:
	:
Defendants.	:
-----X	

Dkt. No. 08 Civ. 3100 (RMB)

**NOTICE OF FILING OF  
ADMINISTRATIVE RECORD**

PLEASE TAKE NOTICE that the defendants, Michael O. Leavitt, Secretary of the  
Department of Health and Human Services, and the Center for Medicare and Medicaid Services,  
file herewith the Administrative Record as part of their Answer in the above-captioned matter  
pursuant to 42 U.S.C. § 405(g).

Dated: New York, New York  
August 27, 2008

MICHAEL J. GARCIA  
United States Attorney for the  
Southern District of New York  
Attorney for Defendants

By:                     /s/                      
ANDREW M. McNEELA  
Assistant United States Attorney  
86 Chambers Street, 3d Floor  
New York, NY 10007  
Tel: (212) 637-2741  
Fax: (212) 637-2750

To: Abraham Wax, Esq.  
c/o Manuel Pardo  
Abraham Wax, P.C.  
Attorneys for plaintiff  
750 Third Avenue, 29<sup>th</sup> Floor  
New York, NY 10017